

Prob 12
Rev. 3/88

**UNITED STATES DISTRICT COURT
For The
WESTERN DISTRICT OF PENNSYLVANIA**

U.S.A. vs. Duncan L. Plowden

Docket No. 94-00154-001

Petition on Probation

COMES NOW Theodore W. Johnson, CHIEF U.S. PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Duncan L. Plowden, who was placed on supervision by the Honorable Donetta W. Ambrose sitting in the Court at Pittsburgh, Pennsylvania, on the 12th day of May 2006, who fixed the period of supervision at six months and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- All terms and conditions of the sentencing order dated July 8, 1994, shall remain in full force and effect.

Original conditions of supervision imposed by Judge Ziegler on July 8, 1994, at sentencing:

- Shall pay a special assessment of \$25.
- Shall find gainful employment within 90 days and remain employed unless excused by the probation office.
- Shall submit to urine testing for controlled substances as directed by probation officer.
- Shall make restitution in the amount of \$750 to the Internal Revenue Service.

07-08-94: Fraudulent Returns, Statements, or Other Documents; Original sentence, Judge Donald E. Ziegler, Pittsburgh, Pennsylvania; Sentenced to 2 years' probation.
12-02-94: Released from state custody; Supervision term begins.
08-17-95: Incarcerated on new state charges.
11-24-04: Released from state custody; Supervision term begins.
03-08-06: Order signed, Judge Ambrose; Hearing scheduled to show cause why supervision should not be revoked.
05-12-06: Revocation hearing held on April 20, 2006, before Judge Ambrose; Probation revoked; Sentenced to 6 months' probation with 6 months' home detention; Currently supervised by U.S. Probation Officer Jeffrey A. Birt.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS
FOLLOWS:**

Your Petitioner reports that the offender has not made any restitution payments. Since being placed on a new six-month period of probation on May 12, 2006, the offender has had difficulty obtaining/maintaining steady employment. He also appears to have limited mental functioning. His only identifiable asset is a 1989 Chevrolet Celebrity station wagon. He has a meager existence and lacks the ability to make restitution payments. Regular drug tests have produced negative results. The ordered term of probation is due to expire on October 19, 2006.

U.S.A. v. Duncan L. Plowden
Docket No. 94-00154-001
Page 2

PRAYING THAT THE COURT WILL ORDER the probationer's term of supervision imposed at Criminal No. 94-00154-001 be permitted to expire as scheduled with restitution owing.

ORDER OF COURT

Considered and ordered this 25th day of Sept, 2006, and ordered filed and made a part of the records in the above case.

Donetta W. Ambrose

Donetta W. Ambrose
Chief U.S. District Judge

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 22, 2006

Jeffrey A. Birt

Jeffrey A. Birt
U.S. Probation Officer

Roselyn Gerson

Roselyn Gerson
Supervising U.S. Probation Officer

Place: Pittsburgh, Pennsylvania